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(MWS/AEW)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Schubert et al. Art Unit No. 1654  
Application No.: 10/510,355 Confirmation No. 8343  
Filed : April 28, 2005 Examiner : Mary Mosher  
For : AGENTS FOR TREATING FLAVIVIRIDAE INFECTIONS

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Date: February 4, 2009

**SUBSTITUTE AMENDMENT**  
**INCLUDING RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

In response to the Notice of Non-Compliant Amendment (the Notice) dated January 7, 2009 which indicated that the text of the withdrawn claims should have been presented, Applicants respectfully submit the following amendments and remarks. This Amendment is essentially identical to the Amendment dated December 12, 2008, except that it includes the text of the withdrawn claims. This response is supported by the Declaration of Ulrich Schubert, under 37 C.F.R. § 1.132 (cited herein as "Schubert Dec."), which was also submitted in support of the December 12, 2008 Amendment.

A response to the Notice is due February 7, 2009. Accordingly, this response is being timely filed.

**Amendments to the Specification** begin on page 3 of this paper.

**Amendments to the Drawings** begin on page 4 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begin on page 5 of this paper.

**Remarks/Arguments** begin on page 14 of this paper.